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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGUYEN, PHUOC H

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/056,309

Applicant(s)

ABIDI ET AL.

Examiner

Phuoc H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>July 25, 2002</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 1-33 are objected to because of the following informalities:

The applicant is advised to re-write all acronyms in full for at least once in all independent claims if exist such as "ABNF" would be "Augmented Backus-Naur Form (ABNF)".

Appropriate correction is required.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 25-27 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 25-27 recited a computer-readable medium for carrying one or more sequences of instructions but they fail to limit the computer-readable medium only as tangible medium. In the specification page 19 lines 1-3, the computer-readable medium is defined as either tangible medium as xROM or non-tangible medium as carrier wave. In order for computer-readable medium claims to be statutory, they must be only tangible computer-readable medium. Therefore, claims 25-27 are directed to non-statutory subject matter.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-8, 11-19, and 22-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Kekic et al. (U.S. 6,664,978).

Regarding claim 1, Kekic et al. disclose in Figures 10 and 39 a method of managing network devices (e.g. abstract) by specifying device components using a parsable string that conforms to a specified grammar, the method comprising the computer steps of: creating and storing one or more entity location specifier values each comprising one or more location elements (e.g. Figure 10 and 39), wherein the one or more entity location specific values are specified as parsable strings (e.g. col. 2 lines 34-45 and lines 61-68); wherein the parsable strings conform to the specified grammar(e.g. table II); wherein each of the one or more location elements is selected from a superset of location (e.g. Figure 39 3905A is superset of subsets below) elements that specify locations of entities within one or more network devices (e.g. col. 46 lines 29-38); receiving a retrieval request for a particular entity location specifier value (e.g. col. 2 lines 40-45); and transmitting the particular entity location specifier value to the application (e.g. Figure 3).

Regarding claim 2, Kekic et al. further disclose in Figures 10 and 39 the parsable strings are stored in MIB objects and wherein the one or more entity location specifier values are specified as the parsable strings in the MIB objects (e.g. Figure 2 and col. 3 line 1-10).

Regarding claim 3, Kekic et al. further disclose in Figures 10 and 39 a particular location element of the one or more location elements is selected from among the group consisting of chassis=value, shelf=value, slot=value, subslot=value, port=value, subport=value, channel=value, subchannel=value, and processor=value (e.g. Figures 9D and 15 and 16).

Regarding claim 4, Kekic et al. further disclose in Figures 10 and 39 the step of transmitting further comprises the step of transmitting the particular entity location specifier value to the application in a single response (e.g. col. 2 lines 53-59 and Figures 15-16).

Regarding claim 5, Kekic et al. further disclose in Figures 10 and 39 the one or more entity location specifier values contain location elements that identify both logical entities and physical entities (e.g. Figures 9D, 15 and 16).

Regarding claim 6, Kekic et al. further disclose in Figures 10 and 39 the one or more entity location specifier values are stored in MIB-call-records on specifier values in MIB (e.g. Figure 10 box 1004 and 1005).

Regarding claim 7, Kekic et al. further disclose in Figures 10 and 39 the superset of location elements is extensible (e.g. Figure 39 wherein base component 3905 is superset).

Regarding claim 8, Kekic et al. further disclose in Figures 10 and 39 the specified grammar is compatible with Command Line Interface (e.g. telnet through comp. Port).

Regarding claim 11, Kekic et al. further disclose in Figures 10 and 39 the itloctype" defined within the grammar is an enumerated value that provides location information of a

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particular physical or logical entity selected from the set consisting of chassis, shelf, slot, port, sub-port, channel, and sub-channel (e.g. Figure 39).

Regarding claim 12, Kekic et al. further disclose in Figures 10 and 39 the parsable settings conform to a first textual convention and a second textual convention (e.g. Figure 40 including port and LED shadow).

Regarding claim 13, a method of managing network devices by specifying device components using a parsable string that conforms to a specified grammar to provide platform independent management (e.g. abstract), the method comprising the computer-implemented steps of; issuing a retrieval request for a particular entity location specifier value to an agent on a network device (e.g. pulling MIB as seen in Figure 3A); wherein the particular entity location specifier value is specified as the parsable string (e.g. Figure 39); wherein the particular entity location specifier value comprises one or more location elements (e.g. Figure 2); wherein the parsable string conforms to the specified grammar (e.g. table II); wherein each of the one or more location elements is selected from a superset of location elements that specify locations of all entities within one or more network devices (e.g. col. 46 lines 29-38); receiving the particular entity location specifier value (e.g. col. 2 lines 40-45); and processing the particular entity location specifier value to determine a location of an entity (e.g. Figures 3).

Regarding claim 14, it has same limitations cited in claim 2. Thus, claim 14 is also rejected under the same rationale as cited in the rejection of rejected claim 2.

Regarding claim 15, it has same limitations cited in claim 3. Thus, claim 15 is also rejected under the same rationale as cited in the rejection of rejected claim 3.

Regarding claim 16, it has same limitations cited in claim 4. Thus, claim 16 is also rejected under the same rationale as cited in the rejection of rejected claim 4.

Regarding claim 17, it has same limitations cited in claim 5. Thus, claim 17 is also rejected under the same rationale as cited in the rejection of rejected claim 5.

Regarding claim 18, it has same limitations cited in claim 7. Thus, claim 18 is also rejected under the same rationale as cited in the rejection of rejected claim 7.

Regarding claim 19, it has same limitations cited in claim 8. Thus, claim 19 is also rejected under the same rationale as cited in the rejection of rejected claim 8.

Regarding claim 22, it has same limitations cited in claim 11. Thus, claim 22 is also rejected under the same rationale as cited in the rejection of rejected claim 11.

Regarding claim 23, it has same limitations cited in claim 12. Thus, claim 23 is also rejected under the same rationale as cited in the rejection of rejected claim 12.

Regarding claim 24, Kekic et al. further disclose in Figures 10 and 39 step of processing further comprises the step of parsing the parable string to determine the one or more location elements (Figure 2 with org).

Regarding claim 25, it is a computer-readable medium claim of claim 2. Thus, claim 25 is also rejected under the same rationale as cited in the rejection of rejected claim 2.

Regarding claim 26, it is a computer-readable medium claim of claim 1. Thus, claim 26 is also rejected under the same rationale as cited in the rejection of rejected claim 1.

Regarding claim 27, it is a computer-readable medium claim of claim 1. Thus, claim 27 is also rejected under the same rationale as cited in the rejection of rejected claim 1.

Regarding claim 28, it is an apparatus claim of claim 1. Thus, claim 28 is also rejected under the same rationale as cited in the rejection of rejected claim 1.

Regarding claim 29, it is an apparatus claim of claim 1. Thus, claim 29 is also rejected under the same rationale as cited in the rejection of rejected claim 1.

Regarding claim 30, it is an apparatus claim of claim 13. Thus, claim 30 is also rejected under the same rationale as cited in the rejection of rejected claim 13.

Regarding claim 31, it is an apparatus claim of claim 13. Thus, claim 31 is also rejected under the same rationale as cited in the rejection of rejected claim 13.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 9-10, 20-21, and 32-33 are rejected under 35 U.S.C. 103(a) as being obvious over Kekic et al. (U.S. 6,664,978) in view of Crocker ("Augmented BNF for Syntax Specifications: ABNF").

Regarding claims 9-10, Kekic et al. do not disclose in Figures 10 and 39 the specified grammar is defined according to Augmented Backus-Naur Form (ABNF) and the grammar is defined as: location-specifier = elem * (', ' elem) elem = loctype <= ' number number = %xOO-FFFFFFFF / %d0-4294967295 loctype = I*3ZVCHAR. However, Crocker discloses in pages 1-10 the specified grammar is defined according to Augmented Backus-Naur Form (ABNF) and the

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grammar is defined as: location-specifier =elem * (',' elem) elem = loctype <=' number number = %xOO-FFFFFFFF / %d0-4294967295 loctype = I*3ZVCHAR. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention is made to add the ABNF grammar with defined above as seen in Crocker's document into Kekic et al.'s invention because it would enable to simplify the complexity to obtain information about devices over-places.

Regarding claim 20, it has same limitations cited in claim 9. Thus, claim 20 is also rejected under the same rationale as cited in the rejection of rejected claim 9.

Regarding claim 21, it has same limitations cited in claim 10. Thus, claim 21 is also rejected under the same rationale as cited in the rejection of rejected claim 10.

Regarding claim 32, it has same limitations cited in claim 9. Thus, claim 32 is also rejected under the same rationale as cited in the rejection of rejected claim 9.

Regarding claim 33, it has same limitations cited in claim 9. Thus, claim 33 is also rejected under the same rationale as cited in the rejection of rejected claim 9.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Masters et al. US 20030191829A1

Schnitzer et al. US 20030110250A1

Gieseke et al. US 20030074430A1

Dobbins et al. US005509123A

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 571-272-3919.

The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuoc H Nguyen
Examiner
Art Unit 2143

June 15, 2005


BUNJOO J. ARDENCHOMMANIT
PRIMARY EXAMINER